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Attorneys for Defendant
PAYCHEX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIELLE WARREN, and all others
similarly situated,

Plaintiff,

v.

PAYCHEX, INC.

Defendant.

Case No. C 10-02006 JCS

**STIPULATED REQUEST FOR ORDER
AND ~~PROPOSED~~ ORDER EXTENDING
NOTICE DISTRIBUTION AND
RELATED DEADLINES**

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1 TO THE HONORABLE COURT, ALL PARTIES AND THEIR RESPECTIVE COUNSEL
2 OF RECORD:
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4 WHEREAS, pursuant to the Amended Joint Stipulation of Class Action Settlement and
5 the Amended preliminary approval order, on July 5, 2011, Defendant provided the Settlement
6 Administrator, Rust Consulting with data necessary to calculate the Class Members' average
7 weekly salary and number of qualified work weeks, including the Class Members' names, the
8 Class Members' dates of hire in the Class position, the Class Members' dates of termination
9 from the Class position, and the amounts of the Class Members' weekly salaries during their
10 employment in Class positions during the Class period;

11 WHEREAS, pursuant to the Amended Joint Stipulation of Class Action Settlement and
12 the Amended preliminary approval order the Settlement Administrator, Rust Consulting was
13 to mail the Court-approved Notice of Settlement by July 15, 2011, which Notice is to provide
14 individualized information as to the Class Members' average weekly salaries and number of
15 their qualified work weeks;

16 WHEREAS, on July 14, 2011, Class Counsel and Defense Counsel were informed by
17 the Settlement Administrator that questions had arisen regarding the Class Member data
18 provided by Defendant which had rendered them unable to meet the July 15, 2011 Notice of
19 Settlement mailing deadline;

20 WHEREAS, the Settlement Administrator required clarification of the Class Member
21 data provided by Defendant and further instructions from counsel in order to complete the
22 necessary calculations and prepare the mail file pursuant to the settlement agreement, which
23 required additional analysis of the data. (*see* Declaration of Abigail J. Schwartz of Rust
24 Consulting, Inc., ¶ 5 ("Schwartz Decl.") filed herewith);

25 WHEREAS, the Settlement Administrator's questions regarding the Class Member
26 data provided by Defendant have now been addressed and counsel for the parties have
27 provided the necessary instructions (Schwartz Decl., ¶ 5);

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WHEREAS, the delay caused by the Settlement Administrator's questions regarding the Class Member data was such that the Settlement Administrator informed the parties on July 14, 2011 that the Settlement Administrator requires additional time to make the calculations necessary to include the required individualized information as to average weekly salaries and numbers of qualified work weeks in the Notices and the Settlement Administrator has further informed counsel for the parties that the additional analysis of the data and the preparation and mailing of the Notice to the Class shall be completed by July 22, 2011 (Schwartz Decl., ¶ 5).

IT IS HEREBY STIPULATED AND AGREED:

That the deadline for mailing of the Notice of Settlement is extended by one week to July 22, 2011. The deadline for submitting objections and comments in favor of the Settlement and for Class Opt-Outs (which is 60-days after mailing of the Notice) is correspondingly extended by one week to September 20, 2011. Because the Court previously continued the Final Approval Hearing by one week to November 4, 2011 (*see* Docket No. 52), it is not necessary to continue the November 4, 2011 Final Approval Hearing date.

SO STIPULATED.

DATED: July 15, 2011

RUDY EXELROD ZIEFF & LOWE LLP

By: /s/ John T. Mullan
 Steven G. Zieff
 David A. Lowe
 John T. Mullan
 Attorneys for Plaintiff

DATED: July 15, 2011

OGLETREE, DEAKINS, NASH, SMOAK &
 STEWART P.C.

By: /s/ Beth A. Gunn
 Jack S. Sholkoff
 Beth A. Gunn
 Attorneys for Defendant Paychex, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for mailing of the Notice of Settlement is extended by one week to July 22, 2011. The deadline for submitting objections and comments in favor of the Settlement and for Class Opt-Outs (which is 60-days after mailing of the Notice) is correspondingly extended by one week to September 20, 2011.

Dated: July 19, 2011

By: _____

JOSEPH C. SPERO
United States District Judge

